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**FACSIMILE COVER SHEET****Examiner:** Phillip Gabel      **Group:** 1644**Date:** November 13, 2006**Client Code:** 0975**Facsimile No.:** 571-273-8300**From:** Deirdre E. Sanders, Esq.**Subject: Paper:** Supplemental Information Disclosure Statement**Docket No.:** 0975.1005-017**Applicants:** Junming Le, et al.**Serial No.:** 10/043,432**Filing Date:** January 10, 2002Number of pages including this cover sheet: 26Please confirm receipt of facsimile: Yes X No       **Comments:**

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DES/CMW/alc  
November 13, 2006

PATENT APPLICATION  
DOCKET NO. 0975.1005-D17

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Junming Le, Jan Vilcek, Peter Daddona, John Ghrayeb, David Knight and Scott Siegel

Application No.: 10/043,432 Group Art Unit: 1644

Filed: January 10, 2002 Examiner: Phillip Gambel

Confirmation No.: 3288

Title: A METHOD OF TREATING CACHEXIA WITH ANTI-TNF ANTIBODIES

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<b>CERTIFICATE OF MAILING OR TRANSMISSION</b>	
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<u>November 13, 2006</u> <u>Christie M. Wise</u>	
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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
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Sir:

This Information Disclosure Statement is submitted:

- under 37 CFR 1.129(a), or  
(First/Second submission after Final Rejection)
- under 37 CFR 1.97(b), or  
(Within any one of the following time periods: three months of filing national application (other than a CPA) or date of entry of the national stage in an international application; or before the mailing date of a first office action on the merits in a non-provisional application, including a CPA, or a Request for Continued Examination)
- under 37 CFR 1.97(c) together with either:
  - a Statement under 37 CFR 1.97(e), as checked below, or
  - a \$180.00 fee under 37 CFR 1.17(p), or  
(After the 37 CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)
- under 37 CFR 1.97(d) together with:
  - a Statement under 37 CFR 1.97(e), as checked below, and
  - a \$180.00 fee under 37 CFR 1.17(p), or  
(Filed after final action or notice of allowance, whichever occurs first, but on or before payment of the issue fee)
- under 37 CFR 1.97(i):  
Applicant requests that the IDS and cited reference(s) be placed in the application file.

Statement Under 37 CFR 1.97(e)

- Each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or
- No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

Statement Under 37 CFR 1.704(d) (Patent Term Adjustment)

Applies to original applications (other than design) filed on or after May 29, 2000

- Each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in § 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.

Enclosed herewith is form PTO-1449:

- Copies of the cited references are enclosed.
- Copies of issued U.S. patents and published U.S. applications are not required and are not being provided.
- Copies of the cited references are enclosed except those entered in prior application, U.S. Application No. [ ], to which priority under 35 U.S.C. 120 is claimed. [The earlier application contains copies of the cited references.]
- The listed references were cited in the enclosed International Search Report in a counterpart foreign application.
- The "concise explanation" requirement (non-English references) for reference(s) [ ] under 37 CFR 1.98(a)(3) is satisfied by:
  - the explanation provided on the attached sheet.
  - the explanation provided in the Specification.
  - submission of the enclosed International Search Report.
  - submission of the enclosed English-language version of a foreign Search Report and/or foreign Office Action.
  - the enclosed English language abstract.

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[X] Applicant requests that the following pending published applications be considered:

Examiner's initials

— U.S. Patent Application No. 10/319,011, by Junming Le, Jan Vilcek, Peter Daddona, John Ghrayeb, David Knight and Scott Siegel, filed December 12, 2002, Docket No.: 0975.1005-029.

— U.S. Patent Application No. 10/371,443, by Junming Le, Jan Vilcek, Peter Daddona, John Ghrayeb, David Knight and Scott Siegel, filed February 21, 2003, Docket No.: 0975.1005-031.

— U.S. Patent Application No. 10/371,961, by Junming Le, Jan Vilcek, Peter Daddona, John Ghrayeb, David Knight and Scott Siegel, filed February 21, 2003, Docket No.: 0975.1005-033.

— U.S. Patent Application No. 10/665,971, by Junming Le, Jan Vilcek, Peter Daddona, John Ghrayeb, David Knight and Scott Siegel, filed September 19, 2003, Docket No.: 0975.1005-036.

— U.S. Patent Application No. 10/774,118, by Junming Le, Jan Vilcek, Peter Daddona, John Ghrayeb, David Knight and Scott Siegel, filed February 6, 2004, Docket No.: 0975.1005-038.

— U.S. Patent Application No. 11/053,749, by Junming Le, Jan Vilcek, Peter Daddona, John Ghrayeb, David Knight, Scott Siegel and Bernard Scallon, filed February 7, 2005, Docket No.: 0975.1005-040.

— U.S. Patent Application No. 11/195,589, by Junming Le, Jan Vilcek, Peter Daddona, John Ghrayeb, David Knight and Scott Siegel, filed August 2, 2005, Docket No.: 0975.1005-042.

— U.S. Patent Application No. 11/010,954, by Junming Le, Jan Vilcek, Peter Daddona, John Ghrayeb, David Knight, Scott Siegel and David Shealy, filed December 13, 2004, Docket No.: 0975.1005-043.

— U.S. Patent Application No. 11/053,750, by Junming Le, Jan Vilcek, Peter Daddona, John Ghrayeb, David Knight, Scott Siegel and Bernard Scallon, filed February 7, 2005, Docket No.: 0975.1005-045.

— U.S. Patent Application No. 10/957,134, by Junming Le, Jan Vilcek, Peter Daddona, John Ghrayeb, David Knight and Scott Siegel, filed September 30, 2004, Docket No.: 0975.1005-048.

— U.S. Patent Application No. 11/170,753, by Junming Le, Jan Vilcek, Peter Daddona, John Ghrayeb, David Knight and Scott Siegel, filed June 29, 2005, Docket No.: 0975.1005-050.

— U.S. Patent Application No. 11/297,655, by Junming Le, Jan Vilcek, Peter Daddona, John Ghrayeb, David Knight and Scott Siegel, filed December 8, 2005.

U.S. Patent Application No. 11/314,941, by Junming Le, Jan Vilcek, Peter Daddona, John Ghrayeb, David M. Knight and Scott Siegel, filed December 20, 2005, Docket No.: 0975.1005-059.

U.S. Patent Application No. 11/400,787, by Junming Le, Jan Vilcek, Peter Daddona, John Ghrayeb, David Knight and Scott Siegel, filed April 7, 2006, Docket No.: 0975.1005-062.

Applicant requests that the following pending non-published applications be considered:

U.S. Patent Application No. 11/143,926 by Junming Le, Jan Vilcek, Peter Daddona, John Ghrayeb, David Knight and Scott Siegel, filed June 2, 2005, Docket No.: 0975.1005-052.

U.S. Patent Application No. 11/401,391, by Junming Le, Jan Vilcek, Peter Daddona, John Ghrayeb, David M. Knight and Scott Siegel, filed April 10, 2006.

U.S. Patent Application No. 11/501,162, by Junming Le, Jan Vilcek, Peter Daddona, John Ghrayeb, David Knight and Scott Siegel, filed August 8, 2006.

U.S. Patent Application No. 11/582,153, by Junming Le, Jan Vilcek, Peter Daddona, John Ghrayeb, David Knight and Scott Siegel, filed October 16, 2006.

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Examiner

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Date

A copy of each above-cited non-published application, including the current claims, is enclosed, except any application filed on or after June 30, 2003, which has been scanned into the PTO's Image File Wrapper (IFW) system and is available to the examiner. However, copies of the claims for the non-published applications are enclosed.

A copy of each above-cited application, including the current claims, is enclosed, except those entered in prior application, U.S. Application No. [ ], to which priority under 35 U.S.C. 120 is claimed.

The Examiner is requested to return a copy of the above list of pending applications indicating which references were considered with the next office communication.

It is requested that the information disclosed herein be made of record in this application.

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Method of payment:

- [ ] A check for the fee noted above is enclosed, or the fee has been included in the check with the accompanying Reply. A copy of this Statement is enclosed.
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Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By Deirdre E. Sanders

Deirdre E. Sanders  
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Dated:

PTO-1449 REPRODUCED  <b>INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION</b>  November 13, 2006  (Use several sheets if necessary)		ATTORNEY DOCKET NO. <b>0975.1005-017</b>	APPLICATION NO. <b>10/043,432</b>
		FIRST NAMED INVENTOR <b>Junming Le</b>	FILING DATE <b>January 10, 2002</b>
		EXAMINER <b>Phillip Gambel</b>	CONFIRMATION NO. <b>3288</b>
			GROUP <b>1644</b>

<b>U.S. PATENT DOCUMENTS</b>				
EXAMINER INITIAL	REF. NO.	DOCUMENT NUMBER Number-Kind Code (if known)	ISSUE DATE / PUBLICATION DATE MM-DD-YYYY	NAME OF PATENTEE OR APPLICANT OF CITED DOCUMENT
	AK2	US 7,070,775 B2	07-04-2006	Junming Le, et al
	AA3	US 5,656,272	08-12-1997	Junming Le, et al.
	AB3	US 5,919,452	07-06-1999	Junming Le, et al.
	AC3	US 6,284,471	09-04-2001	Junming Le, et al.
	AD3	US 5,698,195	12-16-1997	Junming Le, et al.
	AE3	US 6,277,969	08-21-2001	Junming Le, et al.
	AF3	US 6,835,823	12-28-2004	Junming Le, et al.
	AG3	US 6,790,444	09-14-2004	Junming Le, et al.
	AH3	US 6,991,791	01-31-2006	Junming Le, et al.
	AI3	US 7,101,674	09-05-2006	Junming Le, et al.
	AJ3	US 7,135,178	11-14-2006	Junming Le, et al.
	AK3	US 7,128,907	10-13-2006	Junming Le, et al.
	AA4	US 7,138,118	11-21-2006	Junming Le, et al.
	AB4	US 7,128,908	10-31-2006	Junming Le, et al.
	AC4	US 7,135,179	11-14-2006	Junming Le, et al.

EXAMINER	DATE CONSIDERED
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